

June 8, 2004

Mr. Stephenson, all members of the Drug Testing Advisory Board:

Allow me to introduce myself again, my name is N.B. Varlotta. I am a career flight attendant, with an excellent employment history. In March of 1999, my employer terminated me one month shy of my providing 20 years of faithful service. I was falsely accused of substituting a drug screen sample under the standards established by this Board.

Although the threshold for creatinine has been lowered to 2, the number that I was falsely accused of in 1999, there is still nothing in place for worker due process or a remedy for those falsely accused. This board continues to operate the "validity testing" under the guise that the testing is a science. Any professional doctor can tell you that diagnoses is not always accurate based on one laboratory test. Additionally, a retest of the same sample can have numerous results. Body type, gender and make-up, analytical variances in laboratories, collection errors, testing and human error are all possible. HHS is issuing its revisions to creatinine for "validity testing" without remedies and due process for erroneous readings. Families are compensated for children's vaccination errors for the better health of the nation, a similar program should be in place for the falsely accused in the "validity testing" associate with drug testing. The adverse effects of a false accusation including the F.A.A., D.O.T, company or corporation is so far reaching, that a worker's life, career, health benefits and future will never be the same again.

New hair testing, saliva and sweat testing will have similar problems as well since they are not science. Until the falsely accused have a system of due process and a remedy, the issuing of guidelines for "validity testing" would be unconscionable. It would be a shame if the legacy of this Commission will be the establishment of a system depriving workers their Constitutional right to due process.

Thank you for your time.

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